EXHIBIT 16

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

CSX TRANSPORTATION, INC.,   )
Individually and on behalf)
of NORFOLK & PORTSMOUTH   )
BELT LINE RAILROAD   )
COMPANY,   )
)
        Plaintiff,   )
)
V.   ) NO. 2:18cv530
)
NORFOLK SOUTHERN RAILWAY   )
COMPANY, NORFOLK &   )
PORTSMOUTH BELT LINE   )
RAILROAD COMPANY, JERRY   )
HALL, THOMAS HURLBUT,   )
PHILIP MERILLI and CANNON   )
MOSS,   )
)
        Defendants.   )

C O N F I D E N T I A L

DEPOSITION UPON ORAL EXAMINATION OF

CHRISTOPHER DAVID LUEBBERS

TAKEN ON BEHALF OF THE PLAINTIFF

Virginia Beach, Virginia

February 25, 2020

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 1              A      No.

 2              Q      And why is that?

 3              A      We have access through the Commonwealth

 4     railroad.

 5              Q      So in the -- so you consider for VIG that

 6     Norfolk Southern has on-dock access via the

 7     Commonwealth railroad; is that right?

 8              A      Yes.

 9              Q      Okay.  But in CSX's case, you don't

10     consider CSX to offer on-dock service via the NPBL; is

11     that right?

12              A      As I noted in the first part of that

13     paragraph, they have the physical access, yes.

14              Q      My question was, you don't consider that

15     CSX offers on-dock service at NIT via the NPBL?

16              A      They could.  They choose not to.

17              Q      Is that what you say in this document?

18              A      That's what I'm saying, yes.

19              Q      You say, "As they must use NPBL to do

20     so"; is that right?

21              A      Would you restate the question?

22              Q      Yes, sir.

23                     All I'm saying is in this document, you

24     give the reason for CSX not offering on-dock service at

25     NIT as the fact that they must use the NPBL to access
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